

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

SHARP CORPORATION,

Plaintiff,

v.

DELL INC.,

Defendant.

Civil Action No.: 08-5088 (PGS)

ORDER

This matter comes before the Court on various motions submitted by both Plaintiff Sharp Corporation (Sharp) and Defendant Dell Inc. (Dell), to exclude/strike the reports, opinions, and testimony of experts in this case; and the Court having considered the submissions of the parties; and the Court having heard oral argument on said motions on May 2-3, 2011; and for the reasons set forth on the record on May 23, 2011; and for good cause shown

IT IS on this 23rd day of May 2011

ORDERED that Sharp's Motion to Exclude the Reports, Testimony, and Opinions of Defendant Dell Inc.'s Designated Experts, Dr. Itamar Simonson and Dr. Michael Mazis is denied as to Dr. Simonson, denied as to Dr. Mazis's testimony on brand strength, and moot as to Dr. Mazis's testimony on consumer confusion (ECF No. 62.);

ORDERED that Dell's Motion in Limine to Exclude the Report of Dr. Eli Seggev and Related Testimony is denied (ECF No. 72.);


ORDERED that Dell's Motion in Limine to Exclude the Expert Testimony and Strike the Expert Report and Opinions of Dr. Yoram Wind is granted in-part as to consumer confusion, and denied in-part as to brand strength (ECF No. 74.);

ORDERED that Dell's Motion in Limine to Exclude the Report and Testimony of Dr. Joel Steckel and Related Testimony is denied (ECF No. 76.);

ORDERED that Sharp's Motion to Strike the Reports, Testimony and Opinions of Defendant Dell Inc.'s Designated Expert, Scott D. Phillips is denied (ECF No. 118.);

ORDERED that Dell's Motion to Strike the Damages-related Expert Testimony and Rebuttal Expert Report and Opinions of Dr. Yoram Wind is denied (ECF No. 120.); and

ORDERED that Dell's Motion to Strike the Expert Testimony and Strike the Expert Reports and Opinions of Sam Rosenfarb is denied as to Rosenfarb's rebuttal evidence; the court reserves decision as to Rosenfarb's evidence on damages (ECF No. 123.).



PETER G. SHERIDAN, U.S.D.J.

May 23, 2011